

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:19-CV-509-D

SYNGENTA CROP PROTECTION, LLC,)
)
Plaintiff,)
)
v.)
)
ATTICUS, LLC,)
)
Defendant.)

ORDER

This matter is before the court on the parties' motions to seal portions of court proceedings held July 28, 2021, and July 30, 2021. The parties seek to redact the publicly available transcripts of the proceedings to remove confidential business and technical information, including information concerning the identity of and agreements with third-party manufacturers of azoxystrobin and confidential communications and agreements with other entities, non-public legal matters, and Plaintiff's strategies on sales, marketing, generic competition, its patent portfolio, and evaluating potential illegal azoxystrobin products and potential infringement of and enforcement of its intellectual property (Pl.'s Mot. Seal [DE #346] at 1; Def.'s Mot. Seal [DE #350] at 2.) The parties have filed proposed redacted versions of the documents, omitting the portions each contends should not be available to the public.

For the reasons set forth in the parties' motions and supporting memoranda, the court finds that the public's common law right of access is outweighed by the interests of the parties and third-party manufacturers in protecting against competitive and/or financial harm were such information made public. *In re Knight*

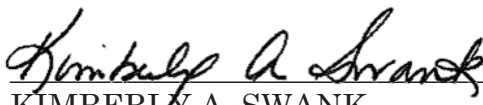
Publ'g Co., 743 F.2d 231 (4th Cir. 1984). Public notice of the parties' requests to seal and a reasonable opportunity to object have been provided by the filing of their motions, and no objections have been filed with the court. Moreover, the parties have narrowly tailored their requests to remove only information that is sensitive and confidential and not otherwise publicly known. Accordingly, the motions to seal are allowed.

CONCLUSION

For the foregoing reasons, the court GRANTS Plaintiff's Motion to Seal [DE #346] and Defendant's motion to seal [DE #350] and ORDERS as follows:

1. The following filings shall be SEALED:
 - a. Transcript of court proceedings held July 28, 2021 [DE #326] and the parties' proposed redacted versions of the proceedings [DE ##348, 351]; and
 - b. Transcript of court proceedings held July 30, 2021 [DE #333] and the parties' proposed redacted versions of the proceedings [DE ## 349, 351-1];
2. Within ten (10) days of the date this order is entered, the parties shall prepare and file publicly available versions of the proceedings held July 28, 2021, and July 30, 2021, redacting the sealed information.
3. Upon the parties' filing of the publicly available versions of the proceedings, the clerk shall transmit copies to the court's transcriber.

This 11th day of January 2022.


KIMBERLY A. SWANK
United States Magistrate Judge